

~~CONFIDENTIAL~~  
SEP ~~Before the~~  
**Federal Communications Commission**  
**Washington, D.C. 20554**

FCC 03M-40  
02595

In the Matter of Application of	)	WT Docket No. 03-188
	)	
RICHARD A. BURTON	)	FCC File No. 0000920745
	)	
For General Mobile Radio Service License	)	
	)	
	)	
	)	
	)	

**ORDER**

**Issued:** September 11, 2003

**Released:** September 12, 2003

A telephone conference initiated by the Presiding Judge was conducted on September 10, 2003. Counsel for the Enforcement Bureau ("Bureau") and Mr. Richard A. Burton participated.

It was disclosed by Mr. Burton that he is in California being treated for cancer, and that he would not be able to attend the prehearing conference set for September 24, 2003, in Washington, D.C. See Order FCC 03M-32, released August 20, 2003. Also, Mr. Burton advised that he is now prepared to withdraw his application for GMRS license that is the subject of this proceeding. It was understood and agreed that Mr. Burton would approve a Motion To Dismiss Application to be prepared and filed by the Bureau.<sup>1</sup>

When the appropriate Motion is filed by the Bureau, the Presiding Judge will consider favorably a request to dismiss Mr. Burton's application for GMRS license, without prejudice to refile, noting that the charges in the Hearing Designation Order (DA 03-2607) would be reinstated for hearing in the event Mr. Burton should refile.

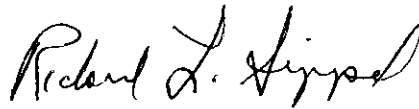
Accordingly, for good cause shown, the conference set for September 24, 2003, IS CANCELLED sine die.

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<sup>1</sup> Mr. Burton's signature must appear on the Motion indicating his acceptance and approval of the terms and conditions of the pleading.

IT IS FURTHER ORDERED that the Enforcement Bureau shall file an appropriate Motion To Dismiss Application, accepted and approved by Richard A. Burton, as soon as practicable.

FEDERAL COMMUNICATIONS COMMISSION<sup>2</sup>

A handwritten signature in black ink, reading "Richard L. Sippel". The signature is written in a cursive, flowing style.

Richard L. Sippel  
Chief Administrative Law Judge

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<sup>2</sup> Courtesy copies of this Order were e-mailed to Mr. Richard A. Burton and to Mr. James Shook on date of issuance